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much to whine about

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Capital Metro Red Line ridership lower than projected

THE DAILY TEXAN

TOMORROW'S WEATHER

High
83



Low
76

Thursday, July 1, 2010

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TODAY

Calendar

First Thursday

Come celebrate the start of July with First Thursday on South Congress Avenue.

'Freedom costs a buck o' five'

"Team America: World Police" quote- and sing-along at Alamo Drafthouse Cinema at the Ritz at 10:10 p.m. Tickets cost \$12.

'Re: Psyche'

The Greek myth of Eros and Psyche goes modern with original music by Austin band Mother Falcon at the Blue Theatre at 8 p.m. Tickets cost \$10.

'I got the blues'

Gary Clark Jr. plays a happy-hour show at Lamberts Downtown Barbecue at 7 p.m. Admission is free.

Today in history

In 1979

Sony releases the Walkman, inspired by Sony co-chairman Akio Morita, who wanted to listen to operas on plane trips.

Inside

In Opinion:

Editor advocates passage of DREAM Act [page 3](#)

In Life&Arts:

Vintage men's store expands [page 4](#)



Quote to note

"The art of games is in the game play. Games that ... allow you to move in some kind of world in a way that feels pleasurable, interesting and aesthetically pleasing, tense, scary or exciting. The real art of the video game is how it feels to interact with the world while you're holding this controller."

— Tom Bissell

Author of "Extra Lives: Why Video Games Matter"

LIFE&ARTS PAGE 4



Peyton McGee | Daily Texan Staff

Laura Hall sits in the courtroom for her resentencing trial at the Blackwell/Thurman Criminal Justice Center on Wednesday, which marked the second day of testimony.

Hall's DNA, prison remarks at forefront of evidence trial

By Michael Sherfield

Daily Texan Staff

Prosecutors turned former UT student Laura Hall's own words and DNA against her as Day Two of her resentencing trial began Wednesday.

The state attorneys relied upon the expert testimony of Cassie Carradine, Austin Police Department DNA specialist, and the recollections of Hall's fellow prisoners in making the case that Hall, 27, played a part in tampering with evidence in the 2005 murder of Jennifer Cave by former UT student Colton Pitonyak.

Hall has been found guilty of tampering with evi-

dence and hindering apprehension in a 2007 trial, but an appeals court threw out her five-year conviction, leading to a new resentencing trial and repeat of testimony and evidence for a new jury.

Carradine established a DNA connection between Hall and the Smith & Wesson .38-caliber pistol authorities say Pitonyak used to murder Cave on August 17, 2005, in his West Campus apartment.

"Laura Hall and Colton Pitonyak cannot be excluded as contributors," Carradine said, referring to a

COURT continues on page 2

LOWERING THE FLAG



Peyton McGee | Daily Texan Staff

Leonard Benford, a custodian at Gonzalo Garza Independence High School, retrieves the school's American flag before heavy rains Wednesday.

EPA takes control of permit-issuing for Texas plants

By Nolan Hicks

Daily Texan Staff

The Texas Commission on Environmental Quality's flexible permit program does not meet federal pollution standards, the Environmental Protection Agency announced Wednesday.

The EPA issued what it called its "final disapproval" of the TCEQ's flexible permitting process. The move allows the EPA to mandate that Texas plants attempting to qualify for pollution permits meet stricter federal standards instead of the current Texas requirements.

"Today's action improves our ability to provide the citizens of Texas with the same healthy-air protections that are provided for citizens in all other states under the Clean Air Act," EPA regional administrator Al Armandariz said in a statement.

The flexible permit program specifies overall pollution output levels for each plant, leaving it to the plant operators to decide how to meet those targets. The federal standards assign specific levels of pollution output per smokestack at the plant, allowing for greater accountability, the EPA said.

The Lone Star Chapter of the Sierra Club applauded the decision and said it was necessary to improve air

quality in Texas. But it also said the decision didn't go far enough and the EPA should use the Clean Air Act to stop development of coal-fired power plants in Texas.

"We think the EPA must do more to help the TCEQ follow the Clean Air Act," said Jennifer Powis, the senior regional representative for the Sierra Club.

The Texas Oil & Gas Association released a statement expressing dismay over the EPA's decision.

"We were hopeful the EPA would closely review the TCEQ's proposed changes to the flexible permit program before unilaterally disapproving the program," said Debbie Hastings, vice president of environmental affairs for the association. "The EPA has disapproved a program that has dramatically improved Texas air quality. It's a shame."

The EPA takeover of the TCEQ's flexible permit program has become a central issue in the governor's race. Both campaigns released statements blaming each other for the federal government's action today.

Gov. Rick Perry's campaign released a statement entitled, "Obama Administration Grants Bill White's Wish To Kill Texas Jobs."

PERMITS continues on page 2

Law promotes fair textbook prices

By Collin Eaton

Daily Texan Staff

A federal law requiring college textbook publishers to provide details to faculty about textbook and textbook-bundle prices and descriptions of content changes takes effect today.

A provision of the Higher Education Opportunity Act of 2008, the law was originally proposed as the College Textbook Affordability Act on March 20, 2007, by U.S. Sen. Dick Durbin, D-Ill., as a way to help college students manage the rising cost of textbooks. It requires textbook publishers "to include the price of textbooks and supplemental material when providing information to faculty, as well as a history of revisions," according to Durbin's originally proposed law.

Publishers are also required to offer bundled versions of textbooks in an unbundled form.

Nsé Ufot, the government relations officer with the American Association of University Professors' research department, said the major provisions of the law impose limitations on publishers and doubts whether it will lower the cost of textbooks.

"The AAUP is all for reducing the cost [of college], and with tuition going up, the last thing that students need is to pay higher prices for textbooks," Ufot said.

Ufot, however, said she does not believe the unbundled texts will be cheaper for students because each text will be bought individually at separate prices, which offsets any initial savings.

According to a 2005 U.S. Government Accountability Office report to

Congress, the price of college textbooks increased by 6 percent each year from 1986 to 2004, and prices nearly tripled over those years. The prices increased 240 percent while inflation rose 72 percent. Students spent \$6 billion for new and used textbooks in 2004 nationwide. At four-year public universities, full-time students spent \$898 on textbooks on average during the combined fall and spring semesters.

The report partially attributed the rise of prices to the bundling of textbooks with supplemental materials. According to the Education Department's National Center for Education Statistics, the average amount that students spent on textbooks and supplies at UT was \$800 in 2006-2007; \$800 in

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LAW continues on page 2



Photo illustration by Patrick Lu | Daily Texan Staff

A federal law that mandates the disclosure of textbook information, including pricing and content changes, takes effect today. The law was enacted with the intention of reducing textbook prices.

BUDGET: Process encumbered by tuition changes

From page 1

campus. However, the ultimate decision still rests with President William Powers Jr.

“We’re trying to think of different ways the SSBC can be more responsive to needs around the campus as opposed to being provided a lump sum,” Kabir said.

The SSBC was created in 1983 as a way of ensuring that student services would be consistently funded.

Before flat-rate tuition, the SSBC had a mandatory fee that students paid in addition to the tuition rate. However, flat-rate tuition combined the raw tuition cost with the student services fee. This gave TPAC the ability to designate which funds go to the SSBC as opposed to a having a set fee, which means if the money TPAC designates to the SSBC is not enough, it must request additional funds.

Donna Bellinghausen, assistant vice president for student affairs and adviser to the committee, said requests are not always approved, so sometimes programs go unfunded.

One issue the committee will face this year is the impending budget cuts. The University is expected to cut back spending by 10 percent, which amounts to about \$30 million. This will inevitably have an impact on student services and the money that is allocated for them.

Kabir believes that having the SSBC communicate its needs to TPAC will allow a greater opportunity for students to determine how the money they pay through tuition is spent.

“The law stipulates that students get to control the money,” Kabir said. “It’s our money, and students get to say [how it should be spent].”



Peyton McGee | Daily Texan Staff

Teresa Stilp, left, and Ashley Arce ride a MetroRail car Wednesday.

Riding down a slippery slope?

The Capital Metro Red Line is not meeting the original ridership projections from earlier this year, Capital Metro officials said.

In March, Cap Metro opened the first MetroRail in Central Texas, which runs from the city of Leander to downtown Austin. Cap Metro first projected 2,000 people would board the train monthly between March 2010 and March 2011.

Cap Metro spokeswoman Misty Whited said those projections decreased to 1,700 people each month by March of next year.

“We see ridership trends slow down in the summer because of family vacations and school being

out. Transit, overall, is never really a revenue or moneymaker,” Whited said. “We never make a profit.”

Cap Metro spokeswoman Erica McKewen said the number of riders had decreased to 775 trips per day by May.

The MetroRail cost Cap Metro \$109 million. McKewen said the Austin track is one of the most cost-effective in the nation, largely because builders used existing tracks.

“It takes a while for ridership patterns to develop,” she said. “I think it’s kind of premature to say that the rail is not worth the investment; it may take a little longer for it to fully catch on.”

— Hannah Jones

LAW: UT student textbook spending above average

From page 1

2007-2008; \$818 in 2008-2009; and \$860 in 2009-2010.

Student Monitor LLC, an independent consumer-research group that specializes in college student research, reported that students spent \$659 on textbooks

in 2009, down 7 percent from 2008 and less than the average amount spent in 2005. The data shows that the average amount students spent on textbooks is far lower than the rate of inflation, as students spent \$613 in 2001-2002 and \$644 in 2005-2006.

Websites such as *cengage-brain.com* and *coursesmart.com* allow customers to choose different packages, such as digital e-chapters, e-books, rentals and printed books.

J. Bruce Hildebrand, executive director of higher education for the Association of American Publishers, said the percentage of money college students spend on

textbooks is small compared to tuition and room and board. Hildebrand said the AAP supported the legislation.

Integrative biology professor David Hillis said publishing companies already supply all the information that the law now requires them to supply.

“I can’t see this law having any effect whatsoever in driving down textbook prices in the sciences,” Hillis said. “If anything, it will increase the burden — and thus the costs — to publishers, which will drive textbook prices higher. Faculty and publishers are already doing everything they can to reduce textbook prices.”

COURT: Photos, prisonmate testimony mark second day of trial proceedings

From page 1

statistically significant trace of DNA on the pistol.

Under cross-examination from Hall’s lawyer, Joe James Sawyer, Carradine said that it does not necessarily mean it is Hall’s DNA.

After the first part of the day, which included the display of graphic photographs of Cave’s severed head and arms — causing Cave’s family and friends to quickly exit the courtroom to avoid seeing the photographs — the focus shifted to Hall’s seemingly self-incriminating words.

Three different women testified to having conversations with Hall in which she talked about her role in the attempted cover-up of Cave’s murder and subsequent escape to Mexico, where Hall and Pitonyak were found and turned into U.S. Marshals’ custody.

“The eeriest part of it was cutting through bone,” Olena Grayson, a convict who spent time with Hall in jail in 2005, said Hall told her.

Grayson said Hall was angry with Cave because of her relationship with Pitonyak.

“Her boyfriend [Pitonyak] was cheating on [Hall] with her,” Grayson said.

Grayson did not testify at the original trial and was only discovered by Pitonyak’s lawyers as they appeal his conviction and claim that Hall had a large hand in Cave’s murder.

Christie Freeman, another convict who spent time with Hall in Travis County Jail in 2005, shared a similar story.

“The whore was just a dancer and she deserved to die,” Hall said, according to Freeman.

The most extensive testimony was provided by Henriette Langenbach, who shared a cell with Hall for three weeks in September 2005.

Langenbach said she had extensive conversations with Hall about her case, in which Hall detailed her role in the aftermath of Cave’s death.

According to Langenbach, Hall received a call from Pitonyak in the early hours of August 17, 2005, asking her to come to his apartment. Once there, he showed her Cave’s body in his bathtub.

From there, Hall took over from a “shaken-up” Pitonyak, making him a list of things to buy to dispose of the body, including a hacksaw and plastic bags, and telling him to cut off Cave’s head, hands

and feet to prevent identification. They planned to throw the different body parts in different locations, then dump Pitonyak’s car and leave town.

Hall persuaded Pitonyak to leave for Mexico in her car, where the duo was filmed exiting the country, and was eventually found by police and returned to the U.S.

Sawyer questioned Langenbach extensively, mostly about her own checkered past, which includes multiple felonies and years spent in jail. Langenbach maintained she had nothing to gain from her testimony.

The prosecution case is expected to conclude today after the presentation of new evidence in the form of tapes from calls Hall made while in prison. The defense will then take the lead until the conclusion of the trial.

“It was locked up from the beginning in terms of ‘she’s guilty’; this is just what price is the community going to place on her conduct,” Assistant District Attorney Allison Wetzel said. “If our community thinks this kind of conduct is worth probation, that’s their decision. We certainly think she’s a dangerous person and she needs to be confined.”

PERMITS: Perry, White campaigns place blame on other candidate

From page 1

“Bill White specifically encouraged the EPA to attack Texas policies despite our state becoming a global energy leader while effectively cleaning our air,” Perry campaign spokesman Mark Miner said.

The White campaign returned fire, releasing two statements of its own as well as a timeline, which showed that during George W. Bush’s presidency, the EPA had raised serious concerns about the TCEQ’s permitting process.

“Rick Perry failed to make the TCEQ accountable, losing the con-

fidence of [the past] two administrations,” White campaign spokeswoman Katy Bacon said. “If he really wanted to get the government off of our backs, he would have done something besides sending out press releases.”

White said that as governor, he’d guarantee the return of the TCEQ’s permitting power to Texas.

“Instead of listening to warnings from the Bush administration, Perry created a confrontation with the EPA in order to write a new chapter in his book about the federal government,” White said. “His failure is bad for Texas businesses.”

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Tuesday.....	Thursday, 12 p.m.	Friday.....	Tuesday, 12 p.m.
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CORRECTION

A quote from golf pro Lloyd Morrison in Tuesday's page-one story about the Lions Municipal Golf Course misstated the agreement concerning development of the Brackenridge Tract. The UT System may choose to develop on the tract, which would not break the Brackenridge Development Agreement of 1989.

TODAY'S WEATHER

High	81	Low	75
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I hate that thing.

VIEWPOINT

Pass the Dream Act

Saad Nabeel, a 19-year-old former University of Texas at Arlington student, spent last Thanksgiving, Christmas and New Year's in a detention facility, crammed in a tiny room with 60 other people.

He had no privacy; even the showers and toilets were open to public view. Detainees were fed on a strict schedule, and if Nabeel wanted to eat during the 14-hour gap between dinner and breakfast, he would wrap food in toilet paper and stash it under his mattress.

The conditions were a far cry from his apartment in Arlington, where he had been studying for an engineering test when he received a call from a relative in Texas, alerting him that immigration and customs enforcement were on their way to detain and deport him back to Bangladesh.

Nabeel was only 3 years old when his parents brought him to America, seeking political asylum from Bangladesh. He grew up in the United States and spent his adolescence in Dallas, attending Liberty High School, listening to The Beatles, text messaging his friends and earning high grades. After graduating, he received a full scholarship to UT-Arlington to study electrical engineering.

Nabeel, who calls the U.S. the only home he knows, lived a fairly typical teenage existence — except for his family's 16-year-long battle with immigration. His family was repeatedly denied political asylum during an eight-year court battle, and in 2002, after the court's final appeal rejection, his father began the application to obtain green cards. The green cards were finally approved in November 2009, but they were slated for a January arrival. When Nabeel's father requested an extension to stay in the U.S. until the cards arrived, he was arrested and detained.

After learning of his father's arrest, Nabeel had no choice but to leave UT-Arlington and seek refugee status with his mother in Canada. When the Canadian government denied them entry, they were sent back to U.S. immigration, handcuffed and shuttled to separate detention facilities.

Nabeel lived in his cramped detention cell for 42 days before he was deported to Dhaka, Bangladesh, where he currently resides with his family. But before his deportation, Nabeel was forced to sign a paper that said he would not attempt to return to the U.S. for 10 years — or else he would face criminal charges.

Nabeel left the U.S. — but not quietly. His friends started letter-writing campaigns and created a Facebook group to advocate his return. His plight caught the attention of the media — and an electrical engineering professor at Southern Methodist University, who worked with the school to offer Nabeel a spot in the fall class. Nabeel, inspired by the poor environmental conditions in Dhaka, wants to study environmental engineering and use that knowledge to improve conditions in Bangladesh.

But immigration services have dealt Nabeel another harsh blow: His student visa was rejected this week because of the 10-year bar on his return to the U.S., according to The Dallas Morning News.

Nabeel is currently working with immigration lawyers to overturn the ban, but the odds are not in his favor.

Nabeel's situation is sad — and sadly, not rare. According to the DREAM Act website, about 65,000 youths do not have the option to study at a U.S. university because, although they lived in America for a significant portion of their lives, they are "smeared with an inherited title, [as an] illegal immigrant."

Nabeel's case highlights why Congress must pass the DREAM Act, bipartisan legislation that would grant conditional permanent residency to undocumented youth who arrived in U.S. before their 16th birthday, have "good moral character" and have resided in the U.S. for five years prior to the bill's enactment.

There are many prospective and current UT students just like Nabeel who face challenges to pursuing their degree because of their immigration statuses, and every year without the DREAM Act is another year that the University misses out on talented students.

—Lauren Winchester for the editorial board

LEGALESE

Opinions expressed in The Daily Texan are those of the writer. They are not necessarily those of the UT administration, the Board of Regents or the Texas Student Media Board of Operating Trustees.

UT should have more diverse student body

By Chelsea Adler
Daily Texan Guest Columnist

During the past few weeks, the controversy surrounding Simkins Hall Dormitory resulted in significant discussion and debate in the UT community, which has forced the University to face an ugly and disappointing stain on the rich tapestry of UT's history. While the Simkins issue is forcing us to re-evaluate parts of our campus' past, we, as a university and a community, must use this opportunity to focus on building diversity and equality on the 40 Acres for the future.

Although the University has come a long way in creating a diverse and welcoming environment for students of all races since the days Simkins roamed campus, it is far from finished. Of the many challenges the University faces, one main problem is the underrepresentation of African-American students on campus.

According to the latest statistics, African-American students are clearly an underrepresented demographic on campus — they make up only 4.9 percent of the University's undergraduate student population. Unfortunately, this number is below our peer institutions' average of 6.1 percent, with the University of North Carolina ranking the highest at 10.8 percent.

While the low representation of African-American students at UT is a complex problem with roots at local, state and federal levels, that is not an excuse for our University's complacency. We cannot simply brush aside the need for diversity for another day or a future generation.

As the student voice in academics, the Senate of College Councils is committed to making issues of underrepresented students a priority, and we are ensuring that increased diversity at UT is a priority during the upcoming school year. In October, the Senate of College Councils will host the "Ready, Set, Go" workshop, which will host 50 high school students from underrepresented communities in an effort to encourage their college attendance.

Additionally, the Senate has hosted Longhorn School Bus for the past several years. This program brings fifth- and sixth-grade students from Zavala Elementary onto UT's campus once a month. Each month, a different College Council educates the students on the various career

paths available in each college to give the students an opportunity to experience all UT has to offer.

These programs are useful in reaching out to young people and educating them on the importance of college. However, as a University, we must do more to increase diversity and ensure that minority groups are appropriately represented. Diversity enhances learning on our campus by promoting the exchange of ideas between people from different backgrounds and walks of life. As an institution, we must recognize the invaluable role diversity plays on our campus as we pursue higher education. When UT students reflect on the past 80 years from now, how will our generation be remembered? As a university community that stood up for underrepresented students and increased diversity? Or as an unfortunate mark on a rich history?

We cannot hide from our institutional history, but we can, and must, work to create a future that is more richly diverse and culturally inclusive.

Our past may be stained, but our future can be a clean slate.

Adler is the president of the Senate of College Councils.

GALLERY



Austin needs a light rail

By Jonathan Rienstra
Daily Texan Columnist

Traffic around here is getting ridiculous. Try to drive anywhere in the afternoon coming out of central Austin, and ridiculous might seem like a mild way to describe it. Interstate Highway 35 is a standstill, ditto for MoPac Boulevard, and the Drag could be likened to the Thunderdome.

Nobody is moving. Austin's infrastructure was not designed to handle the exploding population we have here today, and it is getting worse each passing year.

In the past 10 years, Austin has grown by 130,000 to its current population of 785,000 people — the majority of whom have cars, and all of whom seem to be out driving on Friday afternoons. This congestion is exactly why it is time to get this light-rail plan rolling.

On Friday, the city's transportation department presented a plan to develop an urban light-rail system that would connect Austin-Bergstrom International Airport to other parts of the city, including downtown, East Austin and the areas surrounding campus. It would entail 33.8 miles of track and cost \$885 million.

Ignore the price tag — this is something Austinites desperately need, and they need it as soon as possible.

Unfortunately, Mayor Lee Leffingwell feels the issue can wait until the next comprehensive bond election, planned for 2012, instead of including it in this year's transportation bond election, which was the original plan. The word used for the 2012 timetable was "hopefully," according to The Daily Texan, but the real hope is that Leffingwell will realize waiting any longer on the light rail yields no benefits, only more traffic jams and wasted hours.

According to a projection by American City Business Journals, Austin's population will be 7.8 million by 2050. If Austin's city officials and population both continue at their current rate, we're in trouble. Why wait two more years to tackle a problem that is already consuming this booming metropolis?

Culturally, a light rail fits Austin's persona. This has always been a city that prides itself on public transportation and being pedestrian-friendly, but even the buses have been bogged down lately. City transportation director Robert Spillar said last week that "cities that have replaced bus routes with urban rail have seen dramatic increases in ridership." Imagine being able to hop on the train and end up at the airport, or, even more enticingly, downtown. Forget busy cabs or the time-consuming E-Bus: Trains are faster, bigger and more comfortable.

It might be tough to see an Austin where cars are used sparingly. I mean, Texans do love their big cars, and while many places in Texas cater to trucks and SUVs, Austin is not one of them. Between the one-way streets, narrow lanes and cramped parking, Austin's infrastructure is more similar to that of a European city than a sprawling suburbia.

The rail systems in Europe, such as the London Underground or the Paris Metro, are more than just part of the city infrastructure — they are icons of the city. Even Dallas has the DART, and everyone knows Austin is culturally superior to those \$30,000 millionaires up north. That said, 19 million people used DART last year alone.

Yes, Dallas is bigger, but for how much longer? People are flocking to Austin at an excessive rate. High rises in West Campus and Downtown are only consolidating more people into an area of Austin that cannot handle the overflow. As David Dobbs, a mass-transit advocate, said, "Do you want Austin's land to be taken up by lots of parking lots, or by buildings, which are worth significantly more?"

Why pave more lots and pay for more parking that do nothing to actually alleviate the traffic, when there is already a plan at hand to fix it? Austin needs this light-rail system as soon as possible, and hopefully it will be completed before 2050. Hopefully.

Rienstra is a journalism junior.

GALLERY



Texas, EPA fight over regulations

By Emily Grubert
Daily Texan Columnist

In a flashback to February — when the state of Texas filed a lawsuit against the Environmental Protection Agency over the agency's finding that greenhouse gases endanger human health — Texas is challenging the EPA's rejection of a state air-quality program in federal court.

The battle between the Texas Commission on Environmental Quality and the EPA is an ongoing territorial fight, largely based in the EPA's Dallas office.

In question are flexible permits for pollution that Texas has issued since 1995 to facilities with multiple smokestacks. Under the current system, which was never officially backed by the EPA, emitters with multiple pollution sources are allowed to average emissions across the plant. Theoretically, if one source of pollution is increased, another must be decreased in the same plant, and as long as total emissions do not increase, the facility is not required to undergo review. The air pollutants in question are conventional pollutants, such as nitrogen oxides, sulfur oxides, particulates and others, not greenhouse gases.

The EPA contends that the averaging system violates the federal Clean Air Act, largely because it is more difficult to verify that total emissions have not increased under a Texas-type program.

Texas contends that air quality has significantly improved under the flexible permit system, and that the EPA's threat to take over TCEQ is a violation of states' rights. Texas' legal challenge is expected to focus on the assertion that the EPA should have rejected the Texas system long ago.

Yesterday, the EPA officially took over the permitting process for 140 Texas facilities and will now regulate each smokestack at a factory or other multisource facility within the state. Gov. Rick Perry has been very vocal in his opposition to EPA control in Texas, a position which fits well with his states' rights-focused gubernatorial campaign. The EPA's actions have long been expected, given numerous notifications over the past year about compliance issues in Texas.

In concept, both Texas' system of regulating emissions at the facility level and the more conventional EPA system of regulating emissions by smokestack could produce equal air-quality effects. In practice, the verification logistics are much easier when individual smokestacks are controlled. This is in part because major emissions problems are often caused by unusual events that can be detected on an individual monitor but not when using a long-term average emissions rate. The reporting problems for the whole-facility system are exacerbated by the fact that emissions are self-reported by facilities, which makes unusual emissions or operating problems difficult to verify without direct smokestack-by-smokestack data.

Perry and others are correct that Texas' air quality has improved since the TCEQ program took effect. However, the possibility that air quality could have improved more under a different system uncovers a major flaw in their argument. Also, the suggestion that Texas has done fine under its current system ignores new information about how air pollution affects human health — the obvious and scientifically validated claim that Texas is disputing in another EPA lawsuit.

Preserving the current rate of increase in total air pollution may be less permissible now than in the past, particularly on a per-facility level — we have more facilities, more people and more density than when the flexible permit system was launched, and we know much more about how pollution damages us and other environmental systems.

However, the fact that Texas' permitting system is flawed does not mean that the EPA's is not. Monitoring more smokestacks is more difficult and more expensive, and if facilities are good actors, increased monitoring may not provide much marginal benefit. A monitoring program in itself will not improve air quality, but it can inform enforcement.

Texas and federal environmental regulators have clashed repeatedly and will likely continue doing so, whether over flexible permits for conventional air pollution, natural gas fracturing laws and limitations, greenhouse gas regulation or other issues.

Both sides make valid points — Texas in claiming that states do often have a better understanding of local issues, and the EPA in the idea that consistent federal regulation streamlines processes and is more likely to assure compliance with national laws.

For now, especially in the wake of the Gulf of Mexico oil spill, "Drill, Baby, Drill" seems to have given birth to a new mantra for environmental regulators in the Lone Star State: "Sue, Texas, Sue."

Grubert is an energy and Earth resources graduate student.



Bobby Longoria | Daily Texan Staff

Ace San Miguel, brother of Prototype Vintage Design co-owner Audrie San Miguel, visits the store on a summer afternoon. The store has recently opened its men's section, which carries a variety of vintage and modern clothing.

Vintage store breaks out of mold

Prototype Vintage Design expands with men's store, offers twist on retro looks

By Kiersten Marian
Daily Texan Staff

With its vibrant green walls, Prototype Vintage Design lures the crowds exploring South Congress Avenue off the beaten path of the main street and onto its side of the block. The local boutique is composed of two adjacent stores, newly divided into men's and women's apparel that provide a wide array of high-quality vintage goods, including apparel, room decor and trinkets.

The owners of the design boutique — Audrie San Miguel, Emily Larson and Sarah Evans — each embody a strikingly different style.

"Each of us has our own distinct style that inspires us," San Miguel said.

Evans had long, straight blonde hair and sported a worn black con-

cert tee paired with jeans and bold red lipstick. Larson looked like a 1960s flower child with short brown curls and a stylishly cut cotton shirt that revealed playful temporary tattoos on her arm. San Miguel, on the other hand, had black, wavy hair parted down the middle and exuded 1970s chic in a red floral dress and gold feather jewelry.

These three different yet complementary styles were fused into one form through the women's experiences in other vintage stores. Five years ago, while San Miguel was working at Room Service Vintage on North Loop Boulevard, she started planning a new vintage concept with best friend Larson.

"[Larson and I] had been scheming and dreaming about the perfect vintage store and how we would have it merchandised and what we would sell," San Miguel said. "So, when space became available on South Congress [Avenue], we just jumped at the opportunity and really didn't hesitate because space down here is such a commodity. We just thought since we've been talking about it, this was the perfect opportunity."

Evans joined the team three

years later when the vintage store on South First Street, La Luz, merged with Prototype.

Inspired by the idea of carrying everything one would find in a home, the store initially sold different products, such as lighting, decor and furniture. But what started out as "a furniture store that carried clothing" has adapted over the years to become "a clothing store that carries furniture."

Earlier this summer, the women decided to vamp up their men's clothing selection to include a larger and more diverse range of styles. The small section of men's vintage T-shirts, pearl snaps and boots

has quadrupled in size and now contains a small selection of bottoms. It no longer occupies a small corner in the vast women's section, but now has been given its own space dubbed "Proto-Man."

Despite the transformations and wide array of products and services offered by Prototype, the store remains cohesive through the unique and well-developed vibe created by the owners. The inventory is inspired by pop art, futuristic shapes and exuberant colors.

"We are not a store that will just carry anything because it's old or

because it comes from a certain time period," San Miguel said. "I think that there's lots of really amazing design that came from the '50s, '60s and '70s in everything from fashion, art, music and architecture and furniture. And so their vision of the future in the midcentury is what Prototype is right now ... and that vision of the future is what inspires us."

On top of this vision, the store also tries to capture the distinct style that is native to the city.

To San Miguel, Austin style is "the unique and one-of-a-kind aspect of wearing vintage, and just sort of this irreverence and rebellious spirit."

A combination of innovative midcentury design with unique Austin style, Prototype creates a shopping experience for men, women and homeowners alike that cannot be found anywhere else in town, or even in the country.

The diverse styles now offered for men at Proto-Man still conform to Prototype's signature style, making it a promising addition to the store. Proto-Man gives men the same opportunity to find apparel that subscribes to the store's motto of "All Killer, No Filler."

Or as San Miguel explains, "Our motto, 'All Killer, No Filler,' has been basically just providing people with really exceptional, highlight pieces. ... So, even if it is not right for you, you're seeing something that you haven't seen before one way or another."

“Each of us has our own distinct style that inspires us.”

— Audrie San Miguel
Vintage Prototype Design
co-owner

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Wine bars work magic with unique ambience

By Gerald Rich

When it comes to wine bars, you've got to have three things to set yourself apart: service, selection and scene. If you don't have those ingredients, then you might as well just buy yourself a nice bottle and party it up with your friends. However, a wine bar can be like your home-away-from-home if it offers more than just a good glass of the fermented grape.

Here's a selection of a few unique Austin wine bars suitable for a wide range of people, from vino novices to complete oenophiles:

Aviary Lounge, 2110 S. Lamar Blvd.

Next to the Black Sheep Lodge on South Lamar Boulevard sits this hidden gem. In the middle of Aviary, a dimly lit home-decor store offering an artsy mix of furnishings, is a small wine bar. Run by Marco Fiorilo and his wife,

the bar offers a small but excellent and affordable selection of wines and imported beers — for those less wooed by the blessed fruit — as well as some mouth-watering foie gras.

What makes Aviary unique, though, is Fiorilo. Giving everything a personal touch, Aviary's constantly changing wine selection is hand-picked by him; its location allows for more relaxation than your average bar. Aviary has a big screen for projecting whatever movie you bring Tuesday and foreign flicks on Thursday, in addition to its daily specials. You can spread out on the furniture and the crowd is usually very friendly. If you want to go where everyone will know your name, try Aviary Lounge.

Mulberry, 360 Nueces St.

Located a couple of streets away from the Ann W. Richards Congress Avenue Bridge near downtown, Mulberry offers a smaller, more casual downtown getaway. Swing by at happy hour and pop open your laptop as you sip on some bubbly, because Mulberry's a great study spot for those who want a little glass to get through those required math or language courses.

With a nice patio area, people

Bobby Longoria | Daily Texan Staff

Wine server Robbie Balenger cleans glasses before Mulberry's happy hour Wednesday afternoon. The wine bar has a hip and urban feel and is a great alternative to coffeehouses for studying and relaxing.

can sit outside and enjoy a drink or stay inside and sit at the large, white marble bar.

Their seasonal wine selection is large, but the smaller space means you're never too far to ask for a refill or for some food. Chef Zach Northcutt definitely knows how to complement his drinks with some tasty treats. Try his succulent and sweet "Devils on Horseback," bacon-wrapped figs and honey, to

EVENT PREVIEW

Author pens a defense of video games as art

By Kate Ergenbright
Daily Texan Staff

One thing's for certain about Tom Bissell: He is passionate about video games. It's blatantly obvious to anyone who hears him speak on the subject. Bissell — a lifetime gamer, journalist and fiction author — has combined his intense love of video games and writing skills to write "Extra Lives: Why Video Games Matter," a defense of video games as an art form.

The debate about whether video games can be considered works of art has gained steam as both the technical and creative aspects of video game production have been steadily advanced.

Bissell was inspired to write "Extra Lives" when he noticed, through his own gaming experience, that the quality of video games was improving.

"It was the sense that games were getting kind of good and sort of sophisticated, and yet they remained dumb and weird in other ways," Bissell said. "It was the sense that they were becoming really terrific and at the same time were really held back by the same weird things that made them terrific."

Although Bissell is a fan of many different video games, he sometimes considers "Grand Theft Auto IV" to be "the most colossal creative achievement of the last 25 years."

"It's a satire of American excess wrapped around a pretty complicated portrayal of a criminal who's trying to make his way in America, while also repeatedly stumbling into his old criminal habits," Bissell said. "By the end of the game, you realize you've built up an immense amount of sympathy and compassion for a criminal, and you've done this because the criminal is you."

Bissell argues that there is more to the game than "driving around, hitting pedestrians, shooting people in the head and picking up hookers" and cites the deeper themes of "Grand Theft Auto IV" as vital to its artistic expression.

"The theme is trying to escape your nature, trying to escape the noise of whatever is surrounding you. If that's not an artistic experience and a thoughtful experience, then I don't know what is," Bissell said. "There is a whole other layer of meaning you can dive into, but because it's a game, it also allows you to just run around and wreak havoc."

Bissell questions the existence of video-game addiction, even though in "Extra Lives" he admits that he plays video games every morning, afternoon and evening and typically does not spend more than

WHAT: Discussion and signing of "Extra Lives: Why Video Games Matter"

WHERE: Book People, 603 N. Lamar Blvd.

WHEN: Tonight at 7

HOW MUCH: Free

three consecutive hours working. Currently, video-game addiction is not an officially recognized disorder by the American Medical Association, although the issue is still being debated and researched.

"There is certainly a compulsive aspect to video games, but nowadays when I feel myself playing a game compulsively, I get rid of it," Bissell said.

"Games can have a joyless, compulsive aspect to them, and I've learned that when I find myself playing something without joy, I get rid of it. You shouldn't do something if you're not enjoying it. Period."

Despite acknowledging the negative aspects of some games, Bissell maintains that most find a way to be artful, whether through a pleasure-inducing plot or visually entertaining story.

"The art of games is in game play," he said. "Games that are artful are games that have figured out ways to tell you some kind of story, whether it's an experiential story or a literal story. Or they allow you to move in some kind of world in a way that feels pleasurable, interesting and aesthetically pleasing, tense, scary or exciting. The real art of the video game is how it feels to interact with the world while you're holding this controller."

Bissell said even games that tend to lack a narrative plot, like those in Nintendo's Mario series, can still be considered art.

"I think the Mario games are definitely pieces of popular art," he said. "They're beautiful, enchanting experiences that, by the end of it, you feel like your mind has sort of been widened by these spatial puzzles and the graphical sophistication of the world."

Bissell explains that it is difficult to fully understand the artistic value of video games if you do not play them yourself.

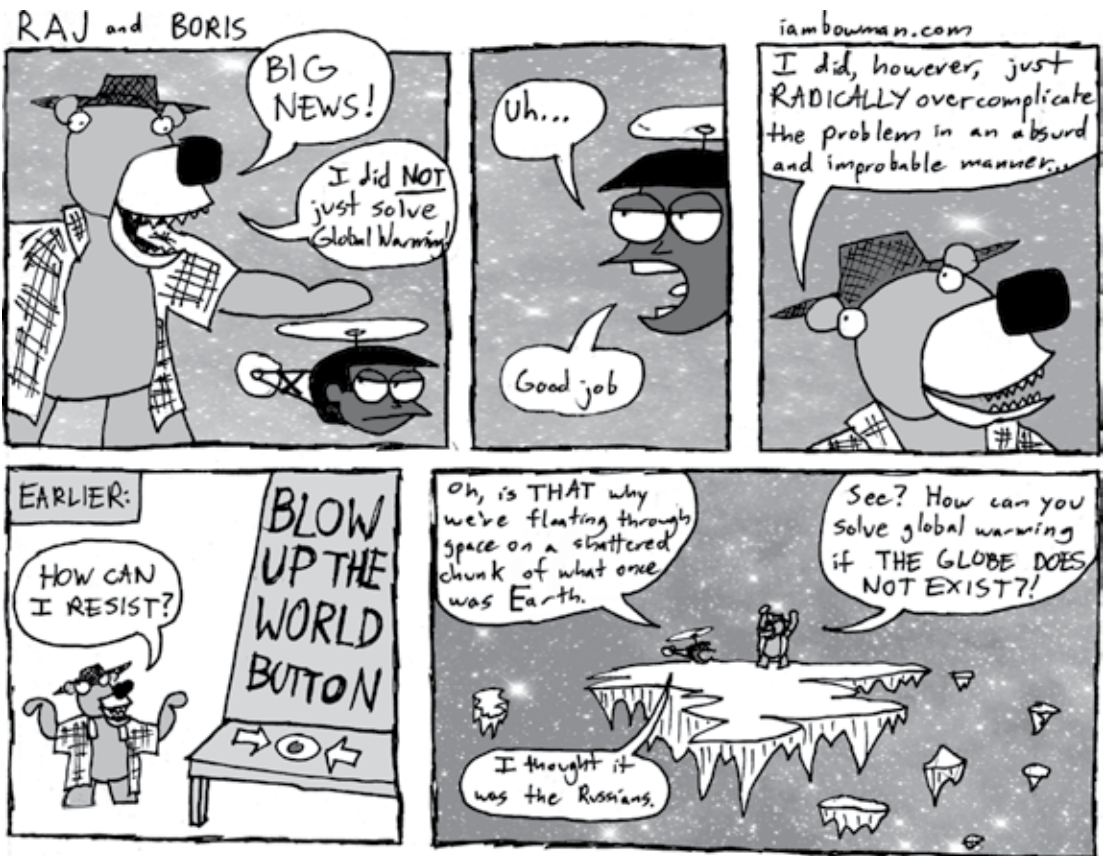
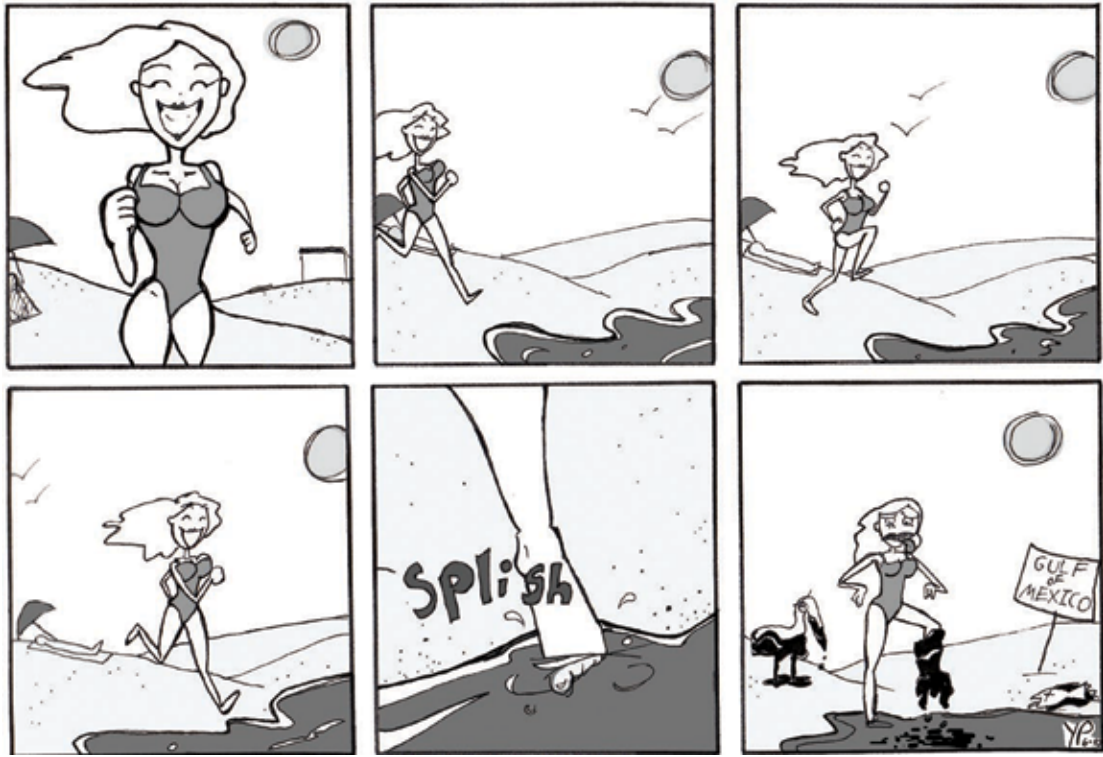
"For people that don't know how to play and don't experience the act of game play, they're never going to get it," Bissell said. "It's like looking at the lyrics of a rock song and saying, 'That must not be a very good song because the lyrics are silly.' Whether it's Mario or a really dumb, violent action game, unless you're playing it, you're missing out on the experience of the game that makes you feel good."

SUDOKU FOR YOU

	3	8		4	7	6		
		7		1				
					2	3		7
		3				7		8
	2		7		5		6	
6		1			2			
3		4	5					
				7		8		
		2	3	9		1	5	

Yesterday's solution								
9	4	6	8	5	2	3	1	7
1	5	3	6	9	7	4	2	8
7	2	8	4	1	3	9	6	5
8	1	4	3	7	5	2	9	6
2	3	7	9	8	6	1	5	4
5	6	9	2	4	1	8	7	3
3	9	2	7	6	4	5	8	1
4	7	5	1	2	8	6	3	9
6	8	1	5	3	9	7	4	2

Funny Junk

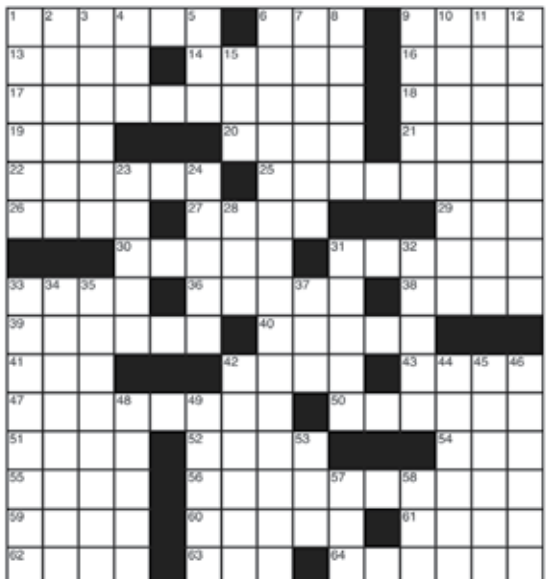


The New York Times Crossword

Edited by Will Shortz No. 0527

- Across**
- 1 Israeli tourist attraction on the Dead Sea
 - 6 "Fawcett Towers" ailer
 - 9 Look like a creep
 - 13 Withdraws, with "out"
 - 14 Testify in court
 - 16 Smart-alecky
 - 17 Japanimation character with a line of school supplies
 - 18 An ellipse has two
 - 19 ___ Darya (river to the Aral Sea)
 - 20 Switch
 - 21 Winged Greek god
 - 22 "Get a clue!"
 - 25 Takes a spill
 - 26 Tinkertoy alternative
 - 27 Firing need
 - 29 1927 Upton Sinclair novel
 - 30 "Ghosts" playwright
 - 31 Neat
 - 33 "The Giving Tree" author Silverstein
 - 36 One in a crowd
 - 38 Resorts to
 - 39 Roadside sights
 - 40 Not perfect
 - 41 Part of N.C.A.A.: Abbr.
 - 42 Handout from an aspiring musician
 - 43 U.S.N. brass: Abbr.
 - 47 Total witch
 - 50 Call before shooting
 - 51 Bar mitzvah party staple
 - 52 Virgil contemporary
 - 54 ___ dye
 - 55 Event on an estate
 - 56 Where cabs wait?
 - 59 "Ahhh, O.K."
 - 60 Shangri-las
 - 61 Reynolds of "Boogie Nights"
 - 62 Asian holidays
 - 63 Start of many French titles
 - 64 Takes in

- Down**
- 1 Sighting at a punk rock concert, maybe
 - 2 So-called missing link
 - 3 Name on many a hospital
 - 4 Communication system for the gorilla Koko: Abbr.
 - 5 "Shoot!"
 - 6 Where to look for hidden words in this puzzle's fifth and eleventh columns?
 - 7 1942 Philippines fighting locale
 - 8 Remains here?
 - 9 Iced
 - 10 Oh-so-splendid
 - 11 Food that usually comes in red or black
 - 12 The New Testament has 21
 - 15 Mich. neighbor
 - 23 52-Across, e.g., in his later years
 - 24 Mannequins are in them
 - 28 Puzzle
 - 31 Caramel-coconut Girl Scout cookie
 - 32 Barrel toward
 - 33 Sellout
 - 34 Breeding ground
 - 35 Modern means of connecting
 - 37 Mojito component
 - 42 Undergo mitosis
 - 44 Oldish means of connecting
 - 45 "Eine kleine Nachtmusik" composer
 - 46 Stifled laughs
 - 48 Some history memorization
 - 49 There's one at the end of this clue
 - 53 Opium ___
 - 57 Jefferson Davis's org.
 - 58 Certain corp. takeover



Puzzle by Josh Knapp

For answers, call 1-900-285-5656, \$1.49 a minute; or, with a credit card, 1-800-814-5554.

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WONDERWORD By DAVID OUELLET

HOW TO PLAY: All the words listed below appear in the puzzle — horizontally, vertically, diagonally, even backward. Find them and CIRCLE THEIR LETTERS ONLY. DO NOT CIRCLE THE WORD. The leftover letters spell the Wonderword.

WEEKLY HOUSECLEANING ROUTINE Solution: 8 letters

R W M S T E E H S N I A T S N
T E I O N E P I W A T E R G E
E E F N O I T S E M O H A N H
P K K R D R A W E R S R I I C
R E N C I O B T P H A H R L T
A N I M U G W S R G S E Y I I
C D S S P B E S E U S I R E K
G C Y A R P S R S N C P D C O
N H A G A S L L A W R A N L H
I O T R L T D E D T O U I S
H R D L E O L O I I O A Q I
T E E S O C V V A M M R L U L
O S O R S T N E M E S A B I O
L L S E X A W N S R E Y R D P
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Yesterday's Answer: Bags

NBA

Clock is ticking for NBA stars



Lynne Sladky | Associated Press

LeBron James and Dwyane Wade converse during a game in November. The two lead a deep free-agency class.



Jeffrey Boan | Associated Press

Chris Bosh shoots over Miami's Mario Chalmers during a game in March. Bosh has made it clear that he does not want to stay in Toronto next season.

Free-agency period begins today as James, Wade headline an unusually deep talent pool

By Jon Parrett
Daily Texan Staff

The past couple weeks of sorting through rumors have been brutal for any NBA fan whose team is in jeopardy of losing its star player. Arguably, the hardest part is not knowing what to believe, but starting today, all that will change. The much-anticipated 2010 NBA free-agency decision began today at 12 a.m. Teams and players will be able to verbally agree to deals, but aren't allowed to sign contracts until July 8.

Where LeBron James will end up has been the most debated topic in sports since the Cleveland Cavaliers were ousted in the second round of the playoffs in May. Rumors vary from him staying in Cleveland to resurrecting basketball in the Big Apple with the New York Knicks to even joining Kobe Bryant in the Staples Center with the Los Angeles Clippers.

With all the trades that happened during Thursday's NBA draft, it was easy to miss the trade that could potentially have the greatest effect on where James lands. The Chicago Bulls sent Kirk Hinrich and his \$9 million contract in addition to their first-round draft pick to the Washington Wizards for a future second-round pick. The move raised the Bulls' available salary cap space to just under \$30 million, which would almost allow them to sign two players to maximum contracts. The salary cap is the total amount teams are allowed to sign their players' contracts to — last year's cap was set at \$57.7 million. In addition to the cap space, the Bulls have a solid group of young players, led by point guard Derrick Rose and forward Joaquin Noah, which could help lure James to Chicago with the hope of winning a championship right away. The Miami Heat also opened cap space by trading away Daequan Cook to the Oklahoma City Thunder in an attempt to land the combination of James and Dwyane Wade.

While Cleveland may not provide James with the best chance of winning, they can offer him the most money and the most years on his contract. Under the "Larry Bird Exception" of the NBA's collective-bargaining agreement, teams are allowed to exceed the salary cap to re-sign their veteran free agents to maximum contracts. A player qualifies as a veteran if he has played at least three seasons with the same team and has not been waived or changed teams as a free agent. That means Cleveland can sign James to a contract worth as much money as any other team that has the cap space, but only for six years. Other teams can only sign him for five.

To this point, not many people have considered the Dallas Mavericks to be a strong suitor for James. That's because they lack the cap room to sign him to a maximum contract. But earlier this

week, *ESPN.com* writer Chad Ford detailed a scenario in which James could find his way into a Dallas jersey this summer. It involves a sign-and-trade with the Cavaliers, where essentially James would sign a contract with Cleveland and then be traded to Dallas.

"In a sign-and-trade, [James] could sign a six-year contract with 10.5-percent yearly raises on his deal," writes Ford. "If he signs directly with another team, he could get only a five-year deal with 8-percent yearly raises. The difference would be nearly \$30 million throughout the life of the contract."

According to the NBA's collective-bargaining agreement, only the first year of a player's contract has to fit under the team's salary cap. The player can then earn percentages on top of his contract in the following years. That's how players are able to have contracts near \$25 million, and that's how teams are able to be \$50 million over the cap limit.

The problem with a sign-and-trade is that Cleveland has said it has no interest participating in re-signing James. James would need to demand a contract in order for it to happen, and even then, it's questionable whether Dallas has the pieces to satisfy the Cavaliers in a trade.

There has been speculation that James could team up with fellow free agents and Olympic teammates Chris Bosh and Wade. The maximum contract that James, Wade and Bosh can sign this summer is \$16.6 million, based on the number of years they've been in the league.

Wade, born and raised in Chicago, has been linked to the Bulls, but has said that he wants to stay with the Miami Heat. Miami has \$43.7 million in cap space to sign free agents, which makes them the front-runners to be able to sign the trio of James, Wade and Bosh. However, they would need to get \$49.5 million to be able to sign all three on maximum deals.

Bosh has made it clear there is little chance of him staying in Toronto and gave a list of teams that he would like to play for, with Miami, Chicago and New York headlining. The Houston Rockets have expressed a desire to get Bosh, but because of a lack of cap space, they would need to work out a sign-and-trade with Toronto. Houston would almost certainly have to part with Luis Scola (after re-signing him), Trevor Ariza and probably even Aaron Brooks to acquire Bosh.

The San Antonio Spurs do not expect to be big players in the free-agency market this summer, but perhaps could make waves with trades. With the emergence of George Hill in this year's playoffs, Tony Parker's days in San Antonio may be numbered. Parker's contract is set to expire next summer and has already been mentioned in trade rumors that place him in New York. Veterans Tim Duncan's and Richard Jeffer-



Eric Gay | Associated Press

Dirk Nowitzki opted out of the final year of his contract to become a free agent this summer but has not yet decided if he will leave Dallas.

Notable 2010 free agents (2009-10 salary)

- LeBron James, F, Cleveland Cavaliers (\$15,779,912)
- Dwyane Wade, G, Miami Heat (\$15,779,912)
- Chris Bosh, F/C, Toronto Raptors (\$15,779,912)
- Dirk Nowitzki, F, Dallas Mavericks (\$19,795,714)
- Amare Stoudemire, F/C, Phoenix Suns (\$16,378,325)
- Joe Johnson, G/F, Atlanta Hawks (\$14,976,754)
- Paul Pierce, F, Boston Celtics (\$19,795,712)
- Ray Allen, G, Boston Celtics (\$18,776,860)
- Carlos Boozer, F, Utah Jazz (\$12,323,900)
- Rudy Gay, G/F, Memphis Grizzlies (\$3,280,997)
- Shaquille O'Neal, C, Cleveland Cavaliers (\$21,000,000)
- Tracy McGrady, G/F, New York Knicks (\$22,843,124)
- David Lee, F, New York Knicks (\$7,000,000)
- Raymond Felton, G, Charlotte Bobcats (\$5,501,196)

Teams with the most 2010 cap space

- | | |
|--------------------------------------|--|
| • Miami Heat - \$47.3 mil | • Sacramento Kings - \$15.35 mil |
| • New York Knicks - \$34.17 mil | • Minnesota Timberwolves - \$13.44 mil |
| • New Jersey Nets - \$29.99 mil | • Washington Wizards - \$7.18 mil |
| • Chicago Bulls - \$29.17 mil | • Oklahoma City Thunder - \$6.13 mil |
| • Los Angeles Clippers - \$16.83 mil | |

son's contracts are also set to expire next summer as well, and while it's hard to imagine that the Spurs would ever part with Duncan, Jefferson has been a huge disappointment since coming from Milwaukee in a trade last summer.

While some players have no choice but to become free agents because their contracts are expiring, others do so willingly through early termination options. Early termination options on contracts allow a player to choose whether he wants to stick with his current contract with a team or terminate it. Usually, players exercise this option when

they feel like their value has increased since signing the contract and believe they can get more money by going elsewhere. Dallas' Dirk Nowitzki is set to turn down the \$21.5 million option on his contract and test the waters of free agency. The deadline for early termination options expired Wednesday, which was when Paul Pierce of the Boston Celtics exercised his early termination option as well. Pierce opted out of the final year of his contract, which would've paid him \$21.5 million, and he will become a free agent for the first time in his career.

SIDELINE

MLB

American League

Tampa Bay 9
Boston 4

Oakland 6
Baltimore 9

Toronto 1
Cleveland 3

Seattle 7
NY Yankees 0

Chi White Sox 6
Kansas City 7

Detroit 1
Minnesota 5

National League

Washington 1
Atlanta 4

Philadelphia 3
Cincinnati 4

Houston 5
Milwaukee 1

Arizona 4
St. Louis 2

Pittsburgh 2
Chi Cubs 0

Denver 3
San Diego 13

LA Dodgers 8
San Francisco 2

SPORTS BRIEFLY

Nowitzki to meet with Mavs' president Thursday in Dallas

Dirk Nowitzki saved the Dallas Mavericks a trip to Germany, a sign they could be a step closer to keeping their biggest prize in free agency.

Mavericks President Donnie Nelson said he was moments away from boarding a plane for Nowitzki's homeland Wednesday when the former MVP's adviser called to say they were flying to Dallas instead.

Nelson, Nowitzki and Holger Geschwindner are expected to meet at Nowitzki's Dallas home Thursday, the first day for negotiations with free agents. The team's all-time leading scorer and rebounder joined the bumper crop of NBA stars possibly seeking new homes when he decided to opt out of the final year of his contract, worth \$21.5 million.

Nelson said in a text message to The Associated Press that it was a "really good sign" that the Germans were coming to Dallas, where Nowitzki has spent his entire 12-year career. Nelson said he was at an airline counter when Geschwindner called.

Meeting with reporters before he left for the airport, Nelson said there was no backup plan if the Mavericks didn't re-sign Nowitzki. Nelson said other big-name free agents and NBA stars wouldn't be interested in the Mavericks without Nowitzki.

"Everything else hinges on this," Nelson said. "We're going all-out. We'll get this thing done, and then we'll survey the rest of the field and figure out where to go from there."

Dallas had been discussing an extension with Nowitzki, but it would've been for only three years. He can get a four-year contract as a free agent, and perhaps a no-trade clause, something his existing deal lacks.

"We will put our best foot forward," Nelson said before his sudden change in travel plans.

Mavericks owner Mark Cuban will be in Los Angeles at the start of free agency, close to the agents for many of the biggest NBA stars, Nelson said. The top contenders are headlined by LeBron James, but also includes Dwyane Wade, Chris Bosh, Amare Stoudemire and Paul Pierce.

Nelson said he wasn't worried about missing out on sales pitches for other big names.

"There is no mix if there's no Dirk," Nelson said.

A quick deal with Nowitzki boosts the Mavericks chances of landing other big names, although Dallas is considered a long shot in the free agent derby. Nelson said he hoped that dialogue with other potential free agents started with news that the Mavericks had secured Nowitzki.

— The Associated Press